

## **REMARKS**

Applicants note with appreciation the courteous interview granted by Examiner Hoekstra and Marmon to George H. Gerstman, counsel for applicants, on March 16, 2006.

The claim objections and rejections of paragraphs 3, 4, 5 and 6 of the Office Action have been overcome by amendments to claims 4, 18, 22 and 26. The objections and rejections should be withdrawn.

At the interview it was pointed that applicants' helical coil which has a rectangular cross sectional configuration, has continuous undulations wherein the undulations of adjacent turns interlock with each other in order to enhance the rotational rigidity of the coil, with the undulations being lateral to the length of the elongated flexible tubing. A detailed showing of an embodiment of such undulations which are lateral to the length of the elongated flexible tubing is provided in Fig. 2A and is discussed in detail on page 8, line 20 to page 9, line 6 of the specification.

The recitation that the undulations are lateral to the length of the elongated flexible tubing has been inserted in the independent claims pursuant to the interview.

It was also pointed out that contrary to the statement in paragraph 8 of the Office Action, item 32 of Gambale et al. is not flexible tubing but is instead a solid core wire. In particular, see Fig. 6. Further, in Gambale, item 42 is not a flexible helical coil with its proximal end attached to the distal portion of the flexible tubing. Instead, item 42 is an inner safety spring which effectively is the inner tubing.

In Gambale, item 42 does not have continuous interlocking undulations as claimed in the present application nor is there any disclosure of any interlocking undulations.

Gambale's guidewire is significantly structurally different from applicants' guidewire. Gambale has an outer spring 24 and an inner safety spring 42, and item 62 of Gambale is a solid wire having a circular cross sectional configuration and is located only at the proximal end of the entire guidewire section (see Fig. 4). In Gambale, the deflection member 46 is outside the "tubing" (spring 42); not "within said tubing" as set forth in independent claims 1 and 23.

None of the secondary references, including Schaer et al., Hayzelden et al. or Palermo, whether taken singly or combined with Gambale et al., teach applicants' invention in view of the significant deficiencies of Gambale et al. For example, the continuous interlocking undulations of the present invention, as claimed with the rectangular cross-sectional helical coil attached to the distal portion of an elongated flexible member, are not disclosed or taught by the prior art references whether taken singly or in combination with each other.

In view of the foregoing amendments and remarks, it is submitted that the application is now in condition for allowance and an early Notice of Allowance is respectfully requested.

Respectfully submitted,  
SEYFARTH SHAW LLP

A handwritten signature in black ink, appearing to read "G. H. Gerstman", written over a horizontal line.


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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 23, 2006.

  
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Registered Attorney for Applicant  
Date: March 23, 2006